

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 12 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed NOV 12 2004

The applicant **Stanley E. Bailey and Shyrl D. Bailey** hereby make application for permission to change the **place of use of a portion** of water heretofore appropriated under **Proof of Appropriation V02749**

1. The source of water is **Ophir Creek**
2. The amount of water to be changed **Proportionate Amount (as adjudicated) being 2.25 ac/ft**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T.17N., R.19E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$ corner of said Section 34 bears S. 03 degrees 14' 55" W., a distance of 1951.29 feet.**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T.17N., R.19E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$ corner of said Section 34 bears S. 03 degrees 14' 55" W., a distance of 1951.29 feet.**
7. Proposed place of use **0.5 Acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, T.16N., R.19E., M.D.B.&M.**
8. Existing place of use **9.9 Acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$; 18.6 Acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$; 8.3 Acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$; 17.8 Acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$; 18.8 Acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$; 20.8 Acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$; 19.2 Acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 18.4 Acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3; 12.9 Acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 13.4 Acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, all in Section 2, T.16N., R.19E., M.D.B.&M. 158.1 Acres Total (0.5 Acres being changed)**
9. Use will be from **as decreed**
10. Use was permitted from **as decreed**
11. Description of proposed works **Ditch and concrete headgate**
12. Estimated cost of works **In Place**
13. Estimated time required to construct works **Existing**
14. Estimated time required to complete the application of water to beneficial use **5 Years**
15. Remarks: **For existing point of diversion and place of use, use map on file under Proof 02749. For proposed place of use, use map to accompany this application.**

*53090 Bob Z
088 In reviewing
this was the surface
water remain w/o this
app. or was there
no surface water on
that piece. Don't spend
money on it*

By **James P. Haddan, SWRS #575, Agent**
s/James P. Haddan,
206 South Minnesota Street
Carson City, Nevada 89703

Compared sc/ gkl lt/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of a portion of the waters of Ophir Creek as heretofore appropriated under Proof V02749 as appears in the determination of the Relative Rights in and to the Waters of Ophir Creek and its Tributaries in the District Court of the Second Judicial District of the State of Nevada, in and for the County of Washoe is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0125 cubic feet per second, but not to exceed 2.25 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 27, 2007

Proof of completion of work shall be filed on or before:

February 27, 2007

Water must be placed to beneficial use on or before:

January 27, 2009

Proof of the application of water to beneficial use shall be filed on or before:

February 27, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of January A.D. 2006.


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

